

RHODE ISLAND INDUSTRIAL FACILITIES CORPORATION

March 9, 2017

PUBLIC SESSION

A meeting of the Board of Directors of the Rhode Island Industrial Facilities Corporation ("RIIFC") was held in public session at the offices of the Rhode Island Commerce Corporation, 315 Iron Horse Way, Suite 101, Providence, Rhode Island on Thursday, March 9, 2017 beginning at approximately 9:00 a.m. pursuant to a Notice and Agenda duly posted and sent to all members.

Members present and attending the meeting: Mr. John Ward, Mr. Marcel Valois and Ms. Melissa DuBose.

Absent members were: Mr. Joseph Confessore.

Also present and attending were: Ms. Stacy Farrell Secretary of RIIFC, Mr. William Ash, Treasurer of RIIFC and Mr. Antonio Afonso Jr., Esquire, of Moses Afonso Ryan Ltd., Counsel to RIIFC

Mr. Ward, Vice-Chairman of the Board, called the meeting to order at 9:00 a.m.

ACCEPTANCE OF THE MINUTES OF JANUARY 26, 2017

The first item to come before the Board was consideration of the adoption of the Public Session Minutes of the Meeting of the Board of Directors held on January 26, 2017. A motion was made by Ms. DuBose to adopt the Minutes of this meeting, which motion was seconded by Mr. Valois. Following the motion and second, the motion was adopted as follows: Mr. Ward – yes, Mr. Valois – yes and Ms. DuBose – yes.

TO CONSIDER AND ACT UPON DRAFT LEGISLATION REGARDING POTENTIAL
AMENDMENTS TO SECTION 45-37.1-9 AND 45-37.1-9.1 OF THE GENERAL LAWS IN
CHAPTER 45-37.1 ENTITLED “INDUSTRIAL FACILITIES CORPORATION”
SPECIFICALLY IN REFERENCE TO EXEMPTION FROM TAXATION AND PROCEDURE
INCLUDING, BUT NOT LIMITED TO, THE ENGAGEMENT OF A LEGISLATIVE
CONSULTANT IN CONNECTION THEREWITH.

Mr. Afonso indicated at a prior meeting of the board staff and counsel were tasked with drafting legislation that would return the sales tax exemption to RIIFC projects. It was noted that since the exemption was taken away, there had been a drop off in activity for RIIFC. Mr. Afonso reviewed the draft legislation with the board (Exhibit A). He noted there were two marked up sections of the legislation. There was some discussion regarding including a cap to the project total as well as regarding the type of annual reporting RIIFC would provide to the Division of Taxation. Ms. Rebecca Webber, Chief of Staff for the RI Secretary of Commerce, joined the meeting and discussion at this time. Ms. Webber indicated the budget article for the Executive Office of Commerce had already been submitted to the General Assembly, therefore this proposed legislation would need to be a stand-alone bill. Mr. Ash asked that the Commerce Secretary, Mr. Stefan Pryor, attend the next meeting of RIIFC to review the proposed legislation and provide feedback. The board asked that the legislation be revised to incorporate limiting the project amount eligible for exemption from sales tax to \$10,000,000, outlining the annual report requirements to the Division of Taxation regarding the projects and the designated amounts; and designating a three (3) year ineligibility period preventing borrowers from availing themselves of other Commerce Corporation incentives for the three (3) year period. Mr. Afonso and staff agreed to revisit and provide an update at the next RIIFC meeting. The next meeting is scheduled for March 23rd.

DISCUSSION AND UPDATE OF ONGOING BUSINESS OF THE CORPORATION

Mr. Ash indicated he had noticed an increase in activity lately and anticipated bringing some deals before the board soon.

ADJOURNMENT

Mr. Valois made a motion to adjourn the meeting, which motion was seconded by Ms. DuBose and adopted as follows: Mr. Ward – yes, Mr. Valois – yes and Ms. DuBose – yes.

The meeting was adjourned at 10:03 a.m.

SECRETARY'S CERTIFICATE

I, Stacy Farrell, Secretary of Rhode Island Industrial Facilities Corporation hereby certify that attached hereto is a true and accurate copy of minutes of the meeting of the Board of Directors of the Rhode Island Industrial Facilities Corporation held on March 9, 2017. These minutes were approved by the Board of Directors at the meeting held on March 23, 2017.

/s/ Stacy Farrell
Stacy Farrell, Secretary